

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MELROSE ASSOCIATES LIMITED PARTNERSHIP, :
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Plaintiff, : 20cv2924 (DLC)
:
-v- : ORDER
:
FLORAL ASSOCIATES LIMITED PARTNERSHIP, :
JOSEPH T. CEFALO, FREDERICK W. CEFALO, :
and STEPHEN R. CEFALO :
:
Defendants. :
:
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DENISE COTE, District Judge:

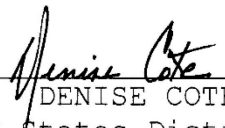
On April 16, 2020, defendants filed a motion to dismiss the complaint pursuant to Rules 12(b)(1), (3), and (6), Fed. R. Civ. P, or, in the alternative, to transfer venue. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

ORDERED that plaintiff shall file any amended complaint by **May 8, 2020**. It is unlikely that plaintiff will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motion to dismiss by **May 8, 2020**. Defendants' reply, if any, shall be filed by **May 22**.

IT IS FURTHER ORDERED that, pursuant to Rule 4(B) of the Court's Individual Rules of Practice in Civil Cases, the defendants shall file on ECF, by **May 8, 2020**, a letter no longer than two pages explaining the basis for their belief that diversity of citizenship exists.

Dated: New York, New York  
April 17, 2020

  
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DENISE COTE  
United States District Judge